

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA

v.

BERNARD CORBIN

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CRIMINAL NUMBER 13-81-1

ORDER

AND NOW, this day of , 2013, upon consideration of the Defendant's Motion for Continuance of Trial Date, it is hereby **ORDERED** that the motion is **GRANTED**. The Court finds that the parties need additional time to determine whether a non-trial disposition can be negotiated and if not the defense needs more time to prepare for trial. Pursuant to 18 U.S.C. § 3161(h)(7)(A), the Court finds that the ends of justice served by the continuance outweigh the best interest of the public and the defendant in a speedy trial.

Trial in this matter shall begin on the day of , 2013.

BY THE COURT:

THE HONORABLE PETRESE B. TUCKER
Chief, United States District Court Judge

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CRIMINAL NUMBER 13-81-1

**DEFENDANT'S UNOPPOSED
MOTION FOR CONTINUANCE OF TRIAL DATE**

Bernard Corbin, by his counsel undersigned, respectfully requests that the Court continue the trial. In support of this request, it is stated:

1. On February 21, 2013, Defendant was indicted charging him with conspiracy, in violation of 18 U.S.C. § 371; and interstate transportation of stolen property and aiding abetting, in violation of 18 U.S.C. § 2314 and 2.

2. Trial is currently scheduled for October 28, 2013.

3. Additional time is requested in order to effectively investigate and prepare the case and to determine if a non-trial disposition is possible.

4. Under the Speedy Trial Rule, Title 18 U.S.C. § § 3161(h)(7)(A), (B) and (C), the period of delay resulting from a continuance is excludable where granting the continuance serves the ends of justice and outweighs the best interest of the public and the defendant in a speedy trial. Defense counsel agrees that all time until the next trial date would be excludable if the Court grants the instant motion.

5. Failure to grant this request for a continuance would result in a miscarriage of justice, 18 U.S.C. § 3161(h)(7)(B)(i).

6. Failure to grant the continuance would deny counsel for the defendant the reasonable time necessary for preparing effectively to represent this defendant in this matter.

7. Counsel has discussed this continuance with the defendant and he does not object to this request.

8. David L. Axelrod, Assistant United States Attorney has advised counsel that she also has no objection to this request.

WHEREFORE, for the foregoing reasons, the defense respectfully requests that this motion be granted and that trial be continued for ninety (90) days.

Respectfully submitted,

s/Kathleen M. Gaughan
KATHLEEN M. GAUGHAN
Assistant Federal Defender

CERTIFICATE OF SERVICE

I, Kathleen M. Gaughan, Assistant Federal Defender, Federal Community Defender Office for the Eastern District of Pennsylvania, hereby certify that I have electronically filed and served a copy of the Defendant's Unopposed Motion for Continuance of Trial Date, upon the office of David L. Axelrod, Assistant United States Attorney, located at 615 Chestnut Street, Suite 1250, Philadelphia, Pennsylvania 19106.

s/Kathleen M. Gaughan
KATHLEEN M. GAUGHAN
Assistant Federal Defender

DATE: October 8, 2013